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Battle of Mosul: Mass Displacement of Natives and a Blatant Violation of International Humanitarian Laws

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Islamic State of Iraq and Levante (ISIL/ISIS) startled the international community when it seized and established control over the city of Mosul in June 2014. Since then, the city had become a major hub for terrorist activities and subsequently became ISIS' [de facto capital in Iraq](#). The ongoing 'Battle of Mosul' to regain the city began in October 2016, more than two years after ISIL/ISIS occupied the city. This offensive has been mounted by the [coalition](#) of a number of armed forces including the Kurds, Iraqi soldiers, and Sunni Arab tribesmen coupled with air and strategic support from the U.S., France, and the UK.

At the outset, both the ISIS and Coalition forces are bound by [Article 3 of the Geneva Convention, 1949](#) as it is applicable to the armed conflicts which are not of an international character. Article 3 explicitly prohibits any inhumane treatment of the persons not taking an active part in the battle and also prohibits the taking of hostages. In the ongoing battle, ISIS is found to be in gross violation of this Article as it is constantly using hostages as ['human shields'](#) as a defensive strategy. The group has been deliberately positioning itself in hospitals – where there are disproportionately large numbers of civilians – to shield itself from the offensive, which has led to a significant number of civilian deaths.

Moreover, there is a valid apprehension that the Iraqi forces are also violating International Humanitarian Law (IHL); for example, they have aerielly dropped ['barrel bombs' while retaking the densely populated city of Fallujah](#), and these weapons have been banned by the *UN Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons*. Barrel bombs qualify as *incendiary weapons* as per the definition provided under [Protocol III](#) of this convention, while [Article 2](#) explicitly prohibits air-delivered incendiary weapons in areas with a concentration of civilians. A similar rule is applicable for international conflicts in the form of [Article 51 of Additional Protocol I](#), which elaborates on the rights of the civilians to be protected and not made targets in conflict situations. [Article 51 \(4\)](#) of this protocol specifically prohibits indiscriminate attacks in such situations. By using weapons such as barrel bombs, the parties to the conflict are playing a major role in blurring the distinction between combatants and non-combatants, thereby inflicting greater harm on the civilian population.

The Coalition forces also include 'Shiite Militia Groups' who have been [accused of perpetrating atrocities against the Sunni community members](#) after Fallujah was liberated from ISIS. One of the basic principles to be followed by the State in situations involving serious violations of IHL is to adopt an ["adequate, effective and prompt reparation"](#) process to effectively promote justice. Even though the Iraqi government has issued strict guidelines against Shiite militia groups entering the Sunni majority city of Mosul, it is evidently downplaying the war crimes committed against the Sunnis by involving the accused group in the offensive. Such disregard to the violations of IHLs will only end up propagating many more of such violent acts and will in turn make it even more difficult for securing the basic human rights in conflict-ridden areas. Through its actions, the Iraqi government has turned a blind eye to the suffering of the Sunni community by compromising their right to reparation.

The offensive, which marks the most complex presence of armed forces in this area since the 2003 U.S. invasion of Iraq, is set to displace at least one million natives. It is quoted to be ["One of the largest manmade disasters,"](#) as it will add onto the 3.5 million internally displaced individuals spread all over Iraq. As vital it is to retake Mosul from the Islamic State, so is the need to protect the displaced population from succumbing to the extreme climatic conditions and/or lack of basic amenities. Though UN and other international organizations in collaboration with the Iraqi government have pitched in to provide shelter and basic amenities, their efforts have proven to be inadequate to cater to the requirements of such a [large number of displaced individuals](#).

All of this bolsters the proposition that as long as IHL is not given its due importance and is not implemented in strict sense, the parties to the conflict will seldom adhere to them and will continue to disregard the lives of the civilian population. The disproportionately large number of civilian casualties in the Battle of Mosul should at least serve as a trigger to effectively monitor and curb such gross violations of human rights and IHL.

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